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APPLICATION NO.	FI	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/776,997	10/776,997 02/11/2004		Ashley B. Johnson	22.1434DIV1	4207	
35204	7590	10/12/2004		EXAM	INER	
SCHLUMB 14910 AIRLI		RESERVOIR (DANG, H	DANG, HOANG C		
P.O. BOX 15			ART UNIT	PAPER NUMBER		
ROSHARON	I, TX 77	7583-1590	3672			

DATE MAILED: 10/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		T A . 11 - A!	A1	- I A 12 44 3					
		Application	on No.	Applicant(s)	Ja				
		10/776,99	97	JOHNSON ET AL.	v				
	Office Action Summary	Examine		Art Unit					
		Hoang D	•	3672					
Period fo	The MAILING DATE of this communication Reply	ion appears on the	cover sheet with the	e correspondence addr	ess				
THE - Exte after - If the - If NC - Failt Any	ORTENED STATUTORY PERIOD FOR MAILING DATE OF THIS COMMUNICA nsions of time may be available under the provisions of 37 SIX (6) MONTHS from the mailing date of this communical period for reply specified above is less than thirty (30) day operiod for reply is specified above, the maximum statutor are to reply within the set or extended period for reply will, by the office later than three months after the patent term adjustment. See 37 CFR 1.704(b).	TION. CFR 1.136(a). In no evaluation. ys, a reply within the stat y period will apply and work statute, cause the app	ent, however, may a reply be utory minimum of thirty (30) o ill expire SIX (6) MONTHS fr lication to become ABANDO	timely filed days will be considered timely. om the mailing date of this com. NED (35 U.S.C. § 133).	munication.				
Status									
1)□	Responsive to communication(s) filed or	n .							
·	•	 ☑ This action is n	on-final.						
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disnosit	ion of Claims	maor Expanto qu	ayio, 1000 G.B. 11,	400 0.0. 210.					
5)□ 6)⊠ 7)□	Claim(s) 1-13 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. Claim(s) is/are allowed. Claim(s) 1-13 is/are rejected. Claim(s) is/are objected to.								
	Claim(s) are subject to restriction	and/or election r	equirement.						
	ion Papers								
10)⊠	The specification is objected to by the Ex The drawing(s) filed on <u>11 February 200</u> . Applicant may not request that any objection Replacement drawing sheet(s) including the The oath or declaration is objected to by	4 is/are: a) ☐ acc to the drawing(s) b correction is requir	e held in abeyance. Seed if the drawing(s) is	See 37 CFR 1.85(a). objected to. See 37 CFR	1.121(d).				
Priority (under 35 U.S.C. § 119								
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 									
Attachmen 1) ⊠ Notic	e of References Cited (PTO-892)		4) Interview Summa						
2) 🔲 Notic 3) 🔲 Infori	e of Draftsperson's Patent Drawing Review (PTO-9 mation Disclosure Statement(s) (PTO-1449 or PTO r No(s)/Mail Date		Paper No(s)/Mail		52)				

Application/Control Number: 10/776,997

Art Unit: 3672

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by McElheny (see all 3 embodiments of Figures 2, 4 and 5; column 3, lines 37-74; column 4, lines 36-58 and column 5, lines 7-32).

As for claim 13, the "adapted to" phrase is given no patentable weight.

- 3. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ricles et al (US 5,088,557) (see the embodiment of figure 6 and column 4, lines 38-63).
- 4. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Stout (US 4,515,217) (see figures 1-2 and column 4, lines 22-45) or Barfield (US 4,605,074) (see figures 1-4 and column 6, lines 36-62 for example).

It is again noted that the "adapted to" phrase in claim 1 and 12 is given no patentable weight.

Drawings

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 700, 704, 706, 710 and 712 in Paragraph [0065]. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are

required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The disclosure is objected to because of the following informalities: In Paragraph [0064], reference numerals 114,124, 126 and 127 should be changed to 614, 624, 626 and 627, respectively. The copending applications recited on the first page of the specification should be updated.

Appropriate correction is required.

Conclusion

- 7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang Dang whose telephone number is 703-308-2149. The examiner can normally be reached on 9:15-5:45 Monday-Friday.

Art Unit: 3672

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Bagnell can be reached on 703-308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hoang Dang Primary Examiner Art Unit 3672